

EXHIBIT C

Zimmerman, Tobias (Law)

From: Gregory Mouton [matters@moutonlawnyc.com]
Sent: Friday, June 20, 2014 9:43 AM
To: Zimmerman, Tobias (Law)
Cc: 'tcatalano@lskdnylaw.com'
Subject: RE: Patricio Jimenez, et al. v. City of New York, et al., 14 Civ. 2994 (SAS)
Hi, Tobias.

Thanks for your email.

Please be advised that I have not sent out any letters in this matter that were dated June 9, 2013. However, if you are referring to the letter dated June 13, 2013, please be advised that my office sent to copies to your office. One for Elizabeth Daitz, and one for you. Unfortunately, I have no control over your mailroom, so it is not clear to me how or why the letter did not reach you.

I, of course, have no control over whether you move the Court or not, but I will oppose any motion made under FRCP 12(e).

In the meantime, could you please let me know whether you or Elizabeth will be handing this matter? She has not withdrawn from the case, but it appears that you are now handling it. Also, have you ascertained the identity of the two officers who created the false report at the hospital, and the partner of Defendant Detective James Quilty?

Best,

Gregory P. Mouton, Jr.
The Law Office of Gregory P. Mouton, Jr.
305 Broadway, 14th Floor
New York, NY 10007
Phone & Fax: (646) 706-7481
greg@moutonlawnyc.com

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From: "Zimmerman, Tobias (Law)" <tzimmerm@law.nyc.gov>
Received: Thursday 19 June, 2014 01:32 pm
To: "matters@moutonlawnyc.com" <matters@moutonlawnyc.com>
Cc: "Zimmerman, Tobias (Law)" <tzimmerm@law.nyc.gov>, "tcatalano@lskdnylaw.com" <tcatalano@lskdnylaw.com>
Subject: Patricio Jimenez, et al. v. City of New York, et al., 14 Civ. 2994 (SAS)

Greg-

I received from Thomas Catalano a copy of your June 9th letter addressed to Elizabeth Daitz responding to her letter of that same day. In the future, please make sure all communications in this case are addressed directly to me to avoid any unnecessary delays in delivery (I never received any copy addressed to me or Liz from you).

In light of your several offers to withdraw claims and "redraft the Complaint", I intend to move pursuant to Fed. R. Civ. P. 12(e) for a more definite statement, citing to your letter acknowledging problems with the Complaint as presently drafted. I propose to ask the Court that you be ordered to file an Amended Complaint by a date certain, and that the City (and Detective Quilty, who I now represent) be given additional time to respond to the

amended complaint.

I believe that Rule 12(e) is the appropriate procedural tool at this stage, particularly to preserve any defenses my clients may wish to assert under Rule 12(b). However, for all practical purposes, I see this motion as having the effect of requesting a further extension to allow you to amend your complaint and us to respond to the amended complaint. As such, I would appreciate if you would consent to the Rule 12(e) motion, and provide me a date that works for you for amending the Complaint.

I attempted to reach you by phone, but was unsuccessful. Please give me a call at 212-356-2661, or email me back to discuss.

Thank you
Tobias

Tobias E. Zimmerman
Assistant Corporation Counsel
Special Federal Litigation Division
New York City Law Department
100 Church Street, Room 3-178
New York, N.Y. 10007
+1.212.356.2661 • +1.212.356.3509 (fax)
e-mail: tzimmerm@law.nyc.gov